

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

PAUL MELANGAGIO, et. al.,)	CASE NO. 8:05CV451
)	(MDL Docket No. 1532)
Plaintiffs,)	
)	ORDER DISMISSING DEFENDANT
vs.)	NATIONAL AUTOMOBILE DEALERS
)	ASSOCIATION, ONLY,
GENERAL MOTORS CORP., et. al.,)	WITHOUT PREJUDICE
)	
Defendants.)	

This matter is before the Court on the Plaintiffs' notice of dismissal of National Automobile Dealers Association (hereafter "NADA") (Filing No. 70). The Plaintiffs and Defendant NADA previously had argued that NADA was dismissed from this case by operation of state law, and I had concluded that Plaintiffs' service upon NADA of a summons and the Amended Complaint was sufficient to keep NADA in this action. Having considered Plaintiffs' notice, I now find that NADA's dismissal from this action is appropriate pursuant to Fed. R. Civ. P. 41(a)(1)(I). Accordingly,

IT IS ORDERED:

1. Plaintiffs' notice of dismissal of the Defendant National Automobile Dealers Association (Filing No. 70) is approved, and the relief requested therein is granted; and
2. Defendant National Automobile Dealers Association is dismissed without prejudice from this matter.

Dated this 16th day of November, 2005.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge